

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

HENDERSON STATE BANK,

Plaintiff,

vs.

MONTE LOWDERMAN, and  
LOWDERMAN AUCTION OPTIONS,  
INC.,

Defendants.

**8:20CV47**

**MEMORANDUM  
AND ORDER**

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MONTE LOWDERMAN, and  
LOWDERMAN AUCTION OPTIONS,  
INC.,

Third-Party Plaintiffs,

vs.

NATHAN KOLTERMAN,

Third-Party Defendant.

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Plaintiff Henderson State Bank has filed a Motion to Dismiss Complaint (Filing 123), representing that such Motion was filed with the consent of Defendants Monte Lowderman and Lowderman Auction Options, Inc. Plaintiff states that it has resolved its causes of action against such Defendants and it wishes to be dismissed as a party to this action with prejudice to refiling as against such Defendants. Plaintiff's Motion will be granted.

IT IS ORDERED:

1. Plaintiff Henderson State Bank's Motion to Dismiss Complaint (Filing 123), filed with the consent of Defendants Monte Lowderman and Lowderman Auction Options, Inc., is granted;
2. Plaintiff Henderson State Bank is dismissed as a party to this action and the Amended Complaint (Filing 29) is dismissed with prejudice to refiling as against Defendants Monte Lowderman and Lowderman Auction Options, Inc.;
3. This Order does not affect the pending Third-Party Complaint (Filing 88), and final judgment shall be withheld pending the resolution thereof;
4. Nothing in this Order releases any rights of Plaintiff Henderson State Bank, if any, against any other individual or entity other than Defendants Monte Lowderman or Lowderman Auction Options, Inc.

DATED this 14th day of January, 2022.

BY THE COURT:



Richard G. Kopf  
Senior United States District Judge